

Docket No. F-7223

Ser. No. 10/015,110

**REMARKS**

Claims 6-12, 14-19, 21 and 22 are now pending in this application. Claims 6-21 are rejected. Claims 13 is cancelled herein. Claims 1-5 are previously cancelled. New claim 22 is added. Claims 6, 14, 15 and 21 are amended herein to clarify the invention.

**FINALITY OF OFFICE ACTION IS PREMATURE**

The applicant and applicant's attorney appreciate the Examiner's granting of the telephone interview conducted on November 22, 2004, and extend their thanks to the Examiner for his time and consideration. During the interview it was explained that the Amendment after final Rejection filed on June 14, 2004, was refused entry in the Advisory Action mailed on August 8, 2004, and that the amendment was entered as a result of a Request for Continued Examination filed August 17, 2004, thus the present Office Action cannot be made final because the amendment was entered after refusal. MPEP §206(b). The Examiner agreed that the finality would be withdrawn. The applicant appreciates the Examiner's helpful resolution of this matter.

Docket No. I-7223

Ser. No. 10/015,110

**CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 6-12 and 16-20 are rejected as obvious over Oh (US 5,616,078) in view of Ishikawa et al. (US 6,549,641), and further in view of Masanobu (JP 2000-033184) under 35 U.S.C. §103(a). Claims 13-15 and 21 are rejected as obvious over Oh (US 5,616,078) in view of Ishikawa et al. (US 6,549,641), and further in view of Masanobu (JP 2000-033184) and Sakakawa (JP 09-173645) under 35 U.S.C. §103(a). The applicants herein respectfully traverse this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

The subject matter of claim 13 is now incorporated into claim 6 and provides for the following features:

    said game controller means including means for setting a hitting area at at least one location on a body of the opponent character displayed on the monitor screen and for setting a defensive region that overlaps with hands of the opponent character and the body of the opponent as seen as seen from said virtual viewpoint; and  
    said display control means displays a hitting mark on said hitting area when said defensive region is outside said hitting area.

Claim 21 includes similar limitations. The above limitations provide for the hands of the opponent character shielding portions of the opponent's body and the display of a hitting mark in areas of the opponent's body other than where overlapped by the hands. Such a feature is clearly absent from the Sakakawa reference.

Docket No. F-7223

Ser. No. 10/015,110

The examiner is of the opinion that the feature of displaying a hitting mark on a hitting area when the defensive region is outside of the hitting area is disclosed in Sakakawa. However there is no disclosure of the defensive regions overlapping with the opponents hand and body as view from the virtual viewpoint. In Sakakawa, an opponent boxer is displayed on a monitor screen 6 and a stationary boxer figure 4 is arranged below the monitor screen 6 and there provided a plurality of targets 5 on the stationary boxer 4. On the back of each of the targets 5, a ring of a switch that can illuminate is provided such that the switch illuminates according to an undefended area of the opponent boxer shown on the monitor screen 6.

The Sakakawa reference shows a non-defended area of an opponent boxer and a target mark that will be illuminated in the non-defended area of the opponent boxer. However, as clearly seen from the above figure of Sakakawa, the attack area a game player can attack is the stationary boxer 4 and the moving opponent is the opponent boxer displayed on the monitor screen 6. As such, there is no possibility for providing an defended area overlapping the opponent's hands and body as now recited in the claims.

The Sakakawa reference is silent about the definition of the non-defended region of the opponent character. In fact, a game player for the game machine disclosed in Sakakawa is supposed to throw a punch to the target(s) 5 provided on

Docket No. F-7223

Scr. No. 10/015,110

the stationary boxer 4, which illuminate according to the non-defended area of the opponent boxer displayed on the monitor screen 6. In other words, the game player is not throwing a punch to the stationary boxer 4 on his own judgment by analyzing the movement of the opponent boxer displayed on the monitor screen 6. In summary, there is no disclosure in Sakakawa of a display with hitting areas shown in conjunction with the opponent's hands and body.

Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejections of the claims and their allowance are respectfully requested.

Claim 22 is now added. The features of claim 22 allow that a displayed position of the hitting mark on the opponent character may change according to the height of the game player since the hitting mark is displayed outside the defensive region which has a position on the opponent's body determined by the virtual viewpoint. The added feature makes the game more realistic similar to the real boxing game, i.e., a boxer is trying to find an undefended area of the opponent boxer to which an effective attack can be imposed by changing his posture, bending downward, inclining side to side, stretching, or even jumping. Such a feature is not disclosed by the references.

Docket No. F-7223

Ser. No. 10/015,110

**TIME EXTENSION REQUEST**

Applicant respectfully requests a one month extension of time for responding to the Office Action. Please charge the fee of \$120.00 for the extension of time to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,  
JORDAN AND HAMBURG LLP

By Frank J. Jordan  
Frank J. Jordan  
Reg. No. 20,456  
Attorney for Applicants  
and,

By Herbert F. Ruschmann  
Herbert F. Ruschmann  
Reg. No. 35,341  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340